

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MOUNT HOPE CHURCH,)
)
Plaintiff,) Case No. 1:09-cv-427
)
v.) Honorable Robert Holmes Bell
)
BASH BACK!, et al.,)
)
Defendants.) ORDER
)

This matter came on for hearing on the motion of defense counsel Tracie Dominique Palmer for leave to withdraw. The court conducted a hearing on the motion on June 3, 2010, at which certain defendants appeared personally and addressed the court. On the basis of the present record, the court finds that Tracie Dominique Palmer has good cause for seeking leave to withdraw as defense counsel, because she has taken a permanent position with the Wayne County Friend of the Court, which precludes her representation of individual clients. The court further finds that the order of sanctions previously imposed on defendants individually should be lifted, and the sanctions imposed directly upon defense counsel, as she has admitted that the delay in responding to discovery was attributable to her fault and not that of her clients. The court further finds that a stay of proceedings to allow defendants an opportunity to retain new counsel is warranted and, in light of the preliminary injunction preserving the status quo, will not unduly prejudice plaintiff. Accordingly:

IT IS ORDERED that the motion of defense counsel Tracie Dominique Palmer for leave to withdraw (docket # 93) be and hereby is GRANTED. Tracie Dominique Palmer is hereby discharged from all further responsibility as defense counsel in this matter.

IT IS FURTHER ORDERED that the previous order of sanctions (docket # 99) be and hereby is modified in part. The award of sanctions against the defendants individually is vacated. Discovery sanctions in the amount of \$1,000.00 are hereby taxed against attorney Tracie Dominique Palmer in favor of plaintiff, payable to plaintiff's counsel within fourteen days hereof.

IT IS FURTHER ORDERED that all defendants (except defendant Keller) will proceed *in propria persona* unless and until new counsel enters an appearance on their behalf. Each defendant (except Keller) is hereby ORDERED to file with the court and serve upon defense counsel a statement of the defendant's name, address, telephone number, and e-mail address, if any. Any defendant who fails to comply with this order may be subject to the entry of a default or other sanctions after the expiration of fourteen days. Ms. Palmer is directed to communicate the requirements of this order to each of her former clients.

IT IS FURTHER ORDERED that all proceedings in this matter are hereby STAYED until **August 4, 2010**. If new defense counsel has appeared by that date, a case management conference will be conducted for the purpose of establishing new dates and deadlines. If counsel has not appeared, the court will enter an order modifying the present case management order and allow the case to proceed. Despite the stay entered herein, plaintiff may begin proceedings to enforce a subpoena served upon the City Pulse newspaper.

IT IS FURTHER ORDERED that plaintiff's motion to extend discovery is DISMISSED as moot.

IT IS FURTHER ORDERED that defendants shall serve their outstanding interrogatory answers on plaintiff's counsel no later than **August 9, 2010**, whether or not new defense counsel has appeared.

DONE AND ORDERED this 3rd day of June, 2010.

/s/ Joseph G. Scoville
United States Magistrate Judge